IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 747 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgment? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GANIBHAI AYUBBHAI ANGARYA

Versus

THE STATE OF GUJARAT

Appearance:

MS SMITA R PATEL for the Petitioner.

Mr.A.Y. Kogje, Additional PUBLIC PROSECUTOR, for the Respondents.

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 06/08/2004

ORAL JUDGEMENT

Rule. Mr.Kogje waives service of Rule. With the consent of parties, the matter is taken up today for disposal.

The learned Advocate for the petitioner has pointed out that the application preferred by the mother of convict, viz., Sheriffaben Ayubbhai Angaria, is pending before the District Magistrate, Jamnagar, for decision. It is submitted that the application given by the mother of the convict on 14.7.2004 is yet not decided. The District Magistrate, Jamnagar, respondent No.3, is directed to take appropriate decision in accordance with law on such application preferred by Sheriffaben Ayubbhai Angaria, the mother of the convict, within a period of two weeks from today.

The petition is accordingly disposed of. Rule is made absolute to the aforesaid extent.

Writ to be sent to the District Magistrate, Jamnagar, forthwith.

Mr.Kogje, learned APP, may also communicate this order to the District Magistrate, Jamnagar, so that appropriate decision can be taken within the prescribed time. Office is directed to make available a copy of this order to Mr.Kogje, learned APP, forthwith.

6th August, 2004 (P.B. Majmudar, J.)

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(apj)